

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: Meruelo et al.
 Patent of:

Serial No.: To Be Assigned
 Patent No.:

Group Art Unit: To Be Assigned

Filed: March 28, 1997
 Issued:

Examiner: To Be Assigned

For: VIRAL VECTORS HAVING CHIMERIC
ENVELOPE PROTEINS CONTAINING
THE IG-BINDING DOMAIN OF PROTEIN
A

Attorney Docket No.: 8105-009

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
[37 CFR 1.9(f) and 1.27(c)] - Small Business Concern

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

I hereby declare that I am

- the owner of the small business concern identified below:
 an official of the small business concern empowered to act in behalf of
the concern identified below:

Name of concern NuGene Technologies, Inc.
Address of concern 800 5th Avenue, Suite 16E
New York, New York 10021

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the person employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern and/or there is an obligation under contract or law by the inventor(s) to convey rights to the small business concern with regard to the invention, entitled **VIRAL VECTORS HAVING CHIMERIC ENVELOPE PROTEINS CONTAINING THE IG-BINDING DOMAIN OF PROTEIN A** by inventor(s) Meruelo et al. described in

- the specification filed herewith
 application filed March 28, 1996 (serial no. to be assigned)
 patent no. issued

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

FULL NAME New York University Medical Center

ADDRESS 550 First Avenue

New York, New York 10016

INDIVIDUAL

SMALL BUSINESS CONCERN

NONPROFIT

ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28 (b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and patent issuing thereon, or any patent to which this verified statement is directed.

Send correspondence to: **PENNIE & EDMONDS LLP**
1155 Avenue of the Americas
EDMONDS LLP
New York, N.Y. 10036-2711

Direct Telephone calls to:
PENNIE &
(212) 790-9090

Name of person signing Ms. Cynthia Tsai
Title of person other than owner Director, NuGene Technologies, Inc.
Address of person signing 800 5th Avenue, Suite 16E
New York, New York 10021

INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT
ORGANIZATION

Signature Cynthia Tsai Date May 21, 1997

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THE IG-BINDING DOMAIN OF
PROTEIN A

Attorney Docket No.: 8105-009

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
[37 CFR 1.9(f) and 1.27(d)] - Nonprofit Organization

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of organization New York University Medical Center
Address of organization 550 First Avenue 70 Washington Square South
New York, New York 10016 10012

Type of organization

- University or other institution of higher education
 Tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3))
 Nonprofit scientific or educational under statute of state of the United States of America
(Name of state _____)
(Citation of statute _____)
 Would qualify as tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3)) if located in the United States of America.
 Would qualify as nonprofit scientific or educational under statute of state of the United States of America if located in the United States of America
(Name of state _____)
(Citation of statute _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled VIRAL VECTORS HAVING CHIMERIC ENVELOPE PROTEINS CONTAINING THE IG-BINDING DOMAIN OF PROTEIN A by inventor(s) Meruelo et al. described in

- the specification filed herewith
 application filed March 28, 1997 (serial no. to be assigned)

patent no. issued

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization identified above and/or there is an obligation under contract or law by the inventor(s) to convey rights to the nonprofit organization identified above with regard to the invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

FULL NAME NuGene Technologies, Inc.
ADDRESS 800 5th Avenue, Suite 16E
New York, New York 10021

INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT
ORGANIZATION

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and patent issuing thereon, or any patent to which this verified statement is directed.

Send correspondence to: PENNIE & EDMONDS LLP Direct Telephone calls to:
1155 Avenue of the Americas PENNIE & EDMONDS LLP
New York, N.Y. 10036-2711 (212) 790-9090

Name of person signing Isaac T. Kohlberg
Title of person other than owner Vice President Industrial Liaison
Address of person signing New York University Medical Center
550 First Avenue
New York, New York 10016

Signature Isaac T. Kohlberg Date 5/21/97